

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re: Daquan Aku Reinhardt  
Debtor

Case No. 16-35512-KLP  
Chapter 13

DAQUAN AKU REINHARDT

Movant,

v.

JOY M. REINHARDT and  
SUZANNE E. WADE, Trustee

Respondents

**NOTICE OF MOTION FOR RELIEF FROM STAY**

TO: Joy M. Reinhardt and Suzanne E. Wade:

The above named Movant, by counsel, has filed a Motion for Relief from the Stay in this bankruptcy case.

**Pursuant to Rule 4001(a)-1(C) of the Local Rules of the US Bankruptcy Court of the Eastern District of Virginia, you have fourteen (14) days from the date of this Motion to file a written response and you must file such response with the Clerk of the US Bankruptcy Court, Richmond Division, 701 East Broad Street, Suite 4000, Richmond, VA 23219 and serve a copy on Movant's counsel, Deanna H. Hathaway, Hathaway Adair, P.C., 710 N. Hamilton St., Suite 200, Richmond VA 23221.**

Deanna H. Hathaway (VSB #44150)  
Hathaway Adair, P.C.  
710 N. Hamilton St., Ste 200  
Richmond, VA 23221  
Telephone: 804-257-9944  
Counsel for the Debtor

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Respectfully submitted,

**Daquan Aku Reinhardt**

By Counsel

By: /s/ Deanna H. Hathaway VSB #44150

Deanna H. Hathaway (VSB #44150)

Hathaway Adair, P.C.

710 N. Hamilton St., 210

Richmond, Virginia 23221

Counsel for Movant

**CERTIFICATE OF SERVICE**

I certify that on March 14, 2017, a copy of this Notice of Motion has been transmitted electronically through the Court's CM/ECF system or by first class mail to the following necessary parties:

Joy M. Reinhardt  
c/o Mary A. Napier, Esquire  
BoykoNapier, PLLC  
5807 Staples Mill Road  
Henrico VA 23228  
Counsel for Joy N. Reinhardt

Suzanne E. Wade, Trustee  
P.O. Box 1780  
Richmond VA 23218

Daquan Aku Reinhardt  
5112 Timbercreek Drive  
Richmond, VA 23237

/s/ Deanna H. Hathaway

Counsel for Movant

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**MOTION FOR RELIEF FROM STAY**

Comes now Daquan Aku Reinhardt (the “Debtor”), by counsel, and respectfully submits the following Motion for Relief from Stay (“Motion”), and in support thereof alleges and states as follows:

1. This Motion is filed pursuant to 11 U.S.C. section 362(d), Federal Rules of Bankruptcy Procedure 4001(a) and 9041, and Local Bankruptcy Rule 4001(a)-1, seeking relief from the automatic stay of 11 U.S.C. section 362.
2. This Court has jurisdiction pursuant to 28 U.S.C. sections 157 and 1334, and venue is appropriate pursuant to 28 U.S.C. sections 1408 and 1409.
3. This is a core proceeding within the meaning of the Bankruptcy Code.
4. On November 9, 2016, Debtor filed for an order for relief under Chapter 13 of the Bankruptcy Code protection pursuant to 11 U.S.C. § 101 et seq. (the “Petition Date”).

Deanna H. Hathaway (VSB #44150)  
Hathaway Adair, P.C.  
710 N. Hamilton St., Ste 200  
Richmond, VA 23221  
Telephone 804-257-9944  
Counsel for Debtor

5. The Debtor and his estranged wife, Joy D. Reinhardt, are parties to a domestic relations matter pending in the state court. Currently, a hearing on the issue of equitable distribution is pending.

6. Pursuant to 11 U.S.C. 362 (b)(2)(a), the filing of the bankruptcy does not operate as a stay with respect to the determination of custody, support or visitation. However, the filing does operate as a stay as to the determination of division of property of the estate.

7. The Debtor seeks relief from the automatic stay for the express purpose of having the pending state court matter proceed in its entirety without the need for further delay.

9. Joy M. Reinhardt, by counsel, is in support of this motion and a proposed consent order granting relief is attached hereto and has been submitted to the Court for entry.

8. Pursuant to Local Bankruptcy Rule 9013-1(G), as there are no novel issues of law presented in this Motion and all applicable authority is set forth in the Motion, the Debtor requests that the requirement to submit a separate memorandum of law be waived.

WHEREFORE Daquan Aku Reinhardt respectfully requests that the Court enter an Order lifting the automatic stay as to so that the equitable distribution hearing can proceed as scheduled in state court or for such other relief the Court deems appropriate.

Respectfully submitted,

**Daquan Aku Reinhardt**  
By Counsel

By: /s/ Deanna H. Hathaway VSB #44150  
Deanna H. Hathaway (VSB #44150)  
Hathaway Adair, P.C.  
710 N. Hamilton St., Ste 200  
Richmond, Virginia 23221  
Counsel for Movant

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/s/ Deanna H. Hathaway  
Counsel for Movant